

### **REMARKS**

Claims 1 through 26 are pending.

Claims 1 through 26 have been rejected under 35 U.S.C. § 101.

Claims 9 and 20 have been rejected under 35 U.S.C. § 112, second paragraph.

Claims 1 through 3, 6 through 9, 12 through 14, 16 through 18, 21, 23 and 24 have been rejected under 35 U.S.C. § 102.

Claims 4, 5, 10, 11, 15, 19, 20, 22, 25 and 26 have been rejected under 35 U.S.C. § 103.

#### **Rejection under 35 U.S.C. § 101.**

Examiner has rejected claims 1 through 26 under 35 U.S.C. § 101.

Applicant has amended the claims to overcome the rejection.

Specifically, claims 1 through 11 are directed to a server computing system. A server computing system may be regarded as a machine and therefore qualifies under 35 U.S.C. § 101 as patentable subject matter.

Applicant has amended claims 12 through 18 as suggested by Examiner to overcome the rejection under 35 U.S.C. § 101.

Claims 21 through 26 are directed to storage media and set out subject matter patentable under 35 U.S.C. § 101.

#### **Rejection under 35 U.S.C. § 112.**

Examiner has rejected claim 9 and 20 under 35 U.S.C. § 101. Applicant has amended the claims to overcome the rejection.

Claims 9 and 20 have been rejected under 35 U.S.C. § 112, second paragraph. Applicant has amended claims 9 and 20 to overcome the rejection. Specifically, Applicant has amended claim 9 to remove the word "when". Applicant has amended claim 20 to remove the term lacking sufficient antecedent basis.

**Rejection under 35 U.S.C. § 102.**

Examiner has rejected claims 1 through 3, 6 through 9, 12 through 14, 16 through 18, 21, 23 and 24 under 35 U.S.C. § 102 (b) as being anticipated by USPN 5,935,212 (Kalajan). Applicant has amended the independent claims to emphasize the clear differences between the subject matter set out in the claims and Kalajan. Applicant respectfully traverses the rejection as to the claims as amended.

Below, Applicant sets out subject matter in each of the independent claims not disclosed or suggested by the cited art. In view of this, Applicant believes all the claims are patentable over the cited art.

**Independent Claim 1:**

Independent claim 1 sets out a server computing system that includes an application. The application includes a persistent process that generates dynamic and interactive hypertext markup language (HTML) content for the

application. This is not disclosed by Kalajan or any of the other art cited by Examiner in the Office Action mailed March 30, 2005.

Kalajan discloses a persistent proxy socket application 56, shown in Figure 4. Persistent proxy socket application 56 handles primitives (or other messages) to and from TCP mail server 58. See Kalajan column 4, lines 12 through 14. Persistent proxy socket application 56 does not generate dynamic and interactive hypertext markup language (HTML) content for the application, as set out in claim 1 of the present application.

Kalajan is not concerned with generating HTML content. Rather, the whole thrust of Kalajan is to emulate a connection-oriented session across a network using a stateless communication protocol. See the Abstract of Kalajan. Thus, the persistent proxy socket application 56 disclosed by Kalajan is used specifically for the purpose of handling primitives (or other messages) to and from TCP mail server 58. Proxy socket application 56 remains active during an entire emulated TCP session, handling TCP message flow to and from TCP mail server 58. This allows transient proxy socket application 54 to terminate upon each output message, as required by HTTP. See Kalajan at column 4, lines 16 through 28. Nowhere does Kalajan disclose or suggest that proxy socket application 56 generate dynamic and interactive hypertext markup language (HTML) content for an application, as set out in claim 1 of the present application. In fact, such generation of HTML content would be contrary to the teaching of Kalajan, which is not concerned with the generation of HTML

content, but rather with the emulation of a connection-oriented session across a network using a stateless communication protocol.

Independent Claim 12:

Independent claim 12 sets out a computer implemented method. In step (a) of claim 12, a persistent process that generates dynamic and interactive hypertext markup language (HTML) content for an application is run. This is not disclosed by Kalajan or any of the other art cited by Examiner in the Office Action mailed March 30, 2005.

Kalajan discloses a persistent proxy socket application 56, shown in Figure 4. Persistent proxy socket application 56 handles primitives (or other messages) to and from TCP mail server 58. See Kalajan column 4, lines 12 through 14. Persistent proxy socket application 56 does not generate dynamic and interactive hypertext markup language (HTML) content for the application, as set out in claim 12 of the present application.

Kalajan is not concerned with generating HTML content. Rather, the whole thrust of Kalajan is to emulate a connection-oriented session across a network using a stateless communication protocol. See the Abstract of Kalajan. Thus, the persistent proxy socket application 56 disclosed by Kalajan is used specifically for the purpose of handling primitives (or other messages) to and from TCP mail server 58. Proxy socket application 56 remains active during an entire emulated TCP session, handling TCP message flow to and from TCP mail server 58. This allows transient proxy socket application 54 to terminate upon

each output message, as required by HTTP. See Kalajan at column 4, lines 16 through 28. Nowhere does Kalajan disclose or suggest that proxy socket application 56 generate dynamic and interactive hypertext markup language (HTML) content for an application, as set out in claim 12 of the present application. In fact, such generation of HTML content would be contrary to the teaching of Kalajan, which is not concerned with the generation of HTML content, but rather with the emulation of a connection-oriented session across a network using a stateless communication protocol.

Independent Claim 21:

Independent claim 21 sets out storage media that stores a computer application. The computer application, when executed on a computing system comprises a persistent process that generates dynamic and interactive hypertext markup language (HTML) content for the computer application. This is not disclosed by Kalajan or any of the other art cited by Examiner in the Office Action mailed March 30, 2005.

Kalajan discloses a persistent proxy socket application 56, shown in Figure 4. Persistent proxy socket application 56 handles primitives (or other messages) to and from TCP mail server 58. See Kalajan column 4, lines 12 through 14. Persistent proxy socket application 56 does not generate dynamic and interactive hypertext markup language (HTML) content for the application, as set out in claim 21 of the present application.

Kalajan is not concerned with generating HTML content. Rather, the whole thrust of Kalajan is to emulate a connection-oriented session across a network using a stateless communication protocol. See the Abstract of Kalajan. Thus, the persistent proxy socket application 56 disclosed by Kalajan is used specifically for the purpose of handling primitives (or other messages) to and from TCP mail server 58. Proxy socket application 56 remains active during an entire emulated TCP session, handling TCP message flow to and from TCP mail server 58. This allows transient proxy socket application 54 to terminate upon each output message, as required by HTTP. See Kalajan at column 4, lines 16 through 28. Nowhere does Kalajan disclose or suggest that proxy socket application 56 generate dynamic and interactive hypertext markup language (HTML) content for an application, as set out in claim 21 of the present application. In fact, such generation of HTML content would be contrary to the teaching of Kalajan, which is not concerned with the generation of HTML content, but rather with the emulation of a connection-oriented session across a network using a stateless communication protocol.

**Rejections under 35 U.S.C. § 103.**

Examiner has rejected claims 4, 11, 20 and 26 under 35 U.S.C. § 103 (a) as being unpatentable over Kalajan in view of USPN 6,026,413 (Challenger).

Examiner has rejected claims 5, 12, 15, 19, 22 and 25 under 35 U.S.C. § 103 (a) as being unpatentable over Kalajan in view of USPAP 2004/0064515 (Hockey).

Applicant believes these dependent claims are patentable over the cited art based on the patentability of the underlying independent claims, as further discussed above.

**Conclusion**

Applicant believes that this Amendment has placed the present case in condition for allowance and favorable action is respectfully requested.

Respectfully submitted,

DAMIEN R. FORKNER, ET AL.

By Douglas L. Weller  
Douglas L. Weller  
Reg. No. 30,506

May 3, 2005  
Santa Clara, California  
(408) 985-0642